

REMARKS

Overview

These remarks are set forth in response to the Office Action. Presently, claims 1 and 3-52 are pending in the Patent Application. Claims 1, 12, 23, and 52 are independent in nature. Favorable reconsideration and allowance of the pending claims are respectfully requested.

Although Applicant disagrees with the broad grounds of rejection set forth in the Office Action, Applicant has amended claims 1, 12, 23, and 52 in order to facilitate prosecution on the merits. Support for the above amendments can be found in the specification at least at paragraphs [0052]-[0053], [0061]-[0062], and [0065]-[0066]. As such, no new matter has been added.

Examiner Interview

Applicants would like to thank Examiner Lerner for conducting a telephone interview with Applicants' representative on April 29, 2010. During the interview, Examiner Lerner and Applicants' representative discussed the independent claims, the applied references, and the grounds of rejection. The substance of the interview is reflected by the foregoing amendments and the following remarks.

35 U.S.C. § 112

Claims 1 and 3-22 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to

enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant respectfully traverses the rejection based on the above amendments. While Applicant respectfully disagrees with the Examiner's rejection regarding the use of the term "modality dependent," claims 1 and 12 have been amended in accordance with the Office Action in order to further substantive prosecution, and removal of this rejection is respectfully requested. Applicant further submits that the above amendments are made to overcome a § 112 rejection and are not made to overcome the cited references. Accordingly, these amendments should not be construed in a limiting manner.

35 U.S.C. § 103

Claims 1 and 4-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 7,020,841 to Dantzig (hereinafter "Dantzig") in view of United States Patent No. 6,839,896 to Coffman (hereinafter "Coffman").

Claims 3 and 9-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 7,020,841 to Dantzig (hereinafter "Dantzig") in view of United States Patent No. 6,839,896 to Coffman (hereinafter "Coffman") in further view of United States Patent No. 6,269,336 to Ladd (hereinafter "Ladd").

Claims 12-46 and 52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 7,020,841 to Dantzig (hereinafter "Dantzig") in view of United States Patent No. 6,269,336 to Ladd (hereinafter "Ladd").

Claims 47-51 rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 7,020,841 to Dantzig (hereinafter "Dantzig") in view of United

States Patent No. 6,269,336 to Ladd (hereinafter “Ladd”) and in further view of W3C

Working Draft (“Grammar Representation Requirements for Voice Markup Languages”)). Applicants respectfully traverse the rejection, and requests reconsideration and withdrawal of the rejection.

Applicant submits that the cited references, taken alone or in combination, fail to teach each and every element recited in claims 1 and 3-52 and thus they define over the cited references. For example, with respect to claim 1, the cited references fail to teach at least the following language:

a set of controls defined on an authoring page for a website for defining visual renderings and at least one of recognition and audible prompting on a client in a server/client system, each control having a first set of attributes defined on the authoring page related to visual rendering and a second set of attributes defined on the authoring page related to at least one of recognition and audibly prompting, wherein one of the second set of attributes for one of the controls relates to a grammar to use for recognition, the controls being related to client side markup executable by a client browser;

According to the Office Action, the above-recited language is disclosed by Dantzig. This assertion is respectfully traversed.

Applicant respectfully submits that claim 1 defines over the cited references because the cited references fail to disclose, teach or suggest at least the first and second set of attributes being defined on the authoring page. As provided for in the Specification, the attributes being defined in the authoring page provides a significant technical advantage because defining these attributes on the authoring page allows for an easier extension of existing pages, particularly those in legacy application. Specification,

[0043]. As stated in the Office Action, prior to amendment, the first set of attributes was disclosed by Dantzig at column 7, lines 38 to 43 and figure 1, specifically indicating “a first processing thread comprising a GUI presentation manager.” As stated in the Office Action, prior to amendment, the second set of attributes was disclosed by Dantzig at column 7, lines 38 to 47 and figure 1, specifically indicating “a second processing thread comprising a speech renderer.” Applicant respectfully submits, however, that they can find no indication in the cited language to either of these processing threads being defined on an authoring page for a website. To the contrary, as stated in the Examiner’s Response to Arguments, Dantzig uses a “modality independent script,” which the Examiner cites as the authoring page, that “is used to produce markup including HTML and VoiceXML,” which the Examiner cites there as the claimed attributes. Applicant respectfully submits, however, that if the script is merely used to produce the attributes, rather than the attributes being present in the script, that it cannot disclose the claimed subject matter in which these attributes are “defined on the authoring page.” Consequently, the cited references, whether taken alone or in combination, fail to disclose, teach or suggest every element recited in claim 1.

Absence from the cited references of the above-mentioned claim elements negates obviousness. Accordingly, Applicant respectfully requests removal of the obviousness rejection with respect to claim 1. Furthermore, Applicant respectfully requests withdrawal of the obviousness rejection with respect to claims 3-11, which depend from claim 1, and therefore contain additional features that further distinguish these claims from the cited references.

Independent claims 12, 23, and 52 recite elements similar to those recited in claim 1. Therefore, Applicant respectfully submits that claims 12, 23, and 52 are not obvious and are patentable over the cited references for reasons analogous to those presented with respect to claim 1. Accordingly, Applicant respectfully requests removal of the obviousness rejection with respect to claims 12, 23, and 52. Furthermore, Applicant respectfully requests withdrawal of the obviousness rejection with respect to claims 13-22 and 24-51 that depend from claims 12 and 23, and therefore contain additional features that further distinguish these claims from the cited references.

Conclusion

For at least the above reasons, Applicant submits that claims 1 and 3-52 recite novel features not shown by the cited references. Further, Applicant submits that the above-recited novel features provide new and unexpected results not recognized by the cited references. Accordingly, Applicant submits that the claims are not anticipated nor rendered obvious in view of the cited references.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the dependent claims from the cited references, taken alone or in combination, based on additional features contained in the dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

Appl. No. 10/046,131
Response Dated October 26, 2010
Reply to Office Action of July 02, 2010

Docket No.: 188880.01
Examiner: Lerner, Martin
TC/A.U. 2626

It is believed that claims 1 and 3-52 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 724-933-9338 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the credit card in the previously filed credit card authorization form.

Respectfully submitted,

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Dated: October 26, 2010

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